

THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

UNITED STATES OF  
AMERICA,

Plaintiff,

v.

JACK L. CLARK,

Defendant.

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Case No. 3:99-cr-86 (1)

Judge Walter H. Rice

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ORDER OVERRULING FIRST MOTION FOR COMPASSIONATE  
RELEASE PURSUANT TO THE UNITED STATES SENTENCING  
GUIDELINES § 1B.1.13 (DOC. #1336) AND MOTION FOR  
RECONSIDERATION OF THE COURT'S ENTRY OVERRULING  
DEFENDANT'S FIRST MOTION TO MODIFY SENTENCE PURSUANT  
TO 18 U.S.C. § 3582(C)(1)(A) (DOC. #1336), SUPPLEMENTAL MOTION  
FOR COMPASSIONATE RELEASE (DOC. #1338), AND *PRO SE*  
MOTION FOR COMPASSIONATE RELEASE PURSUANT TO  
AMENDMENT 814 OF DEFENDANT JACK L. CLARK (DOC. #1339)

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Before the Court are Defendant Jack L. Clark's Motion for Compassionate Release Pursuant to Amendment 814 to the United States Sentencing Guideline § 1B.1.13 ("First Motion," Doc. #1336, PAGEID 7179), Motion for Reconsideration of the Court's Entry Overruling Defendant's First Motion to Modify Sentence Pursuant to 18 U.S.C. § 3582(c)(1)(A) ("Motion for Reconsideration," *id.*, citing First Compassionate Release Motion, Doc. #1322; Entry, Doc. #1335), Supplemental Motion for Compassionate Release ("Supp. Motion," Doc. #1338), and *Pro Se Motion* for Compassionate Release Pursuant to Amendment 814.

("Pro Se Motion," Doc. #1339). Defendant is sixty years old with a present release date of July 6, 2029.<sup>1</sup>

The four Motions have the same gravamen (Doc. #1336, PAGEID 7179-80; Doc. #1338, PAGEID 7184-86; Doc. #1339, PAGEID 7187): that Guideline § 1B1.13, as amended by Guidelines Amendment 814, enables this Court to examine non-retroactive changes to the Guidelines for the purpose of determining whether, for purposes of compassionate release, there is "a gross disparity between the sentence being served and the sentence likely to be imposed at the time the motion is filed[.]" U.S. SENT'G GUIDELINE § 1B1.13(b)(6). However, since the Motions were filed, the United States Court of Appeals for the Sixth Circuit invalidated Amendment 814, *United States v. Bricker*, 135 F.4th 427 (6th Cir. 2025), meaning that the Court may not consider non-retroactive Guideline changes in evaluating the Motions. In light of *Bricker*, and Plaintiff advancing no alternate ground for relief, the First Motion (Doc. #1336), Motion for Reconsideration (Doc. #1336), Supplemental Motion (Doc. #1338), and *Pro Se* Motion (Doc. #1339), fail as matters of law and are thus all OVERRULED.


The captioned case remains terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

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<sup>1</sup> <https://www.bop.gov/inmateloc/> (last accessed Jul. 14, 2025).

IT IS SO ORDERED.

July 17, 2025

  
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WALTER H. RICE, JUDGE  
UNITED STATES DISTRICT COURT